

**Karen L. Zdanis**

**Attorney At Law**

**20 North Broadway**

**Suite 5**

**Nyack, New York 10960**

**Telephone: 845-356-0855**

**Facsimile: 845-613-0096**

January 16, 2008

Via Facsimile and Regular Mail

Louis R. Satriale, Esq.

Gehring & Satriale LLC

370 Lexington Avenue

Suite 1200

New York, New York 10017

Re: Morocho v. Kelly, et al.

Case No.: 07 CIV. 2979

Dear Mr. Satriale:

Following please find the list of items requested during yesterday's deposition of defendant George C. Kelly. As Karl Stoecker, Esq. explained yesterday, these items, which were identified as existing by your client during his deposition, should have already been produced by defendants, as they are within the scope of our pre-existing discovery demands. Therefore, we ask that defendants produce them as soon as possible.

List of the items requested:

1. A copy of the hard drive from the computer in the office at the Nyack Soft Cloth Car Wash located at 5 Polhemus Street, Nyack, New York 10960. This request was within the scope of our document request numbers 1, 2, 5, 7, 10, 13, 14, 17, 18, and 19 of Plaintiffs' First Request for the Production of Documents.

2. A computer printout of all of the data stored on the machine containing employees' codes and hours worked by employees of the defendant Nyack Colonial Car Wash, Inc. for the years 2000 through the present; the machine was referred to as the "Timebanc" machine located at the Nyack Soft Cloth Car Wash

Louis R. Satriale, Esq.

January 16, 2008  
Page 2

located at 5 Polhemus Street, Nyack, New York 10960 by defendant George C. Kelly during his deposition. This request was within the scope of request numbers 1, 5, 7, 10 and 13 of Plaintiffs' First Request for the Production of Documents.

3. A computer printout of any "Excel" spreadsheets that have been saved or otherwise stored, and referred to as "Daily" Worksheets and/or the "Pay" and/or "Payroll" sheets as defendant George C. Kelly represented were on the computer in the office at the Nyack Soft Cloth Car Wash located at 5 Polhemus Street, and printouts of any other data stored that references employee compensation, tips, hours worked by employees and/or the number of cars that were serviced by the car wash for the period of the year 2000 through the present. This request was within the scope of request numbers 1, 2, 5, 6, 7, 10, 13, and 19 of Plaintiffs' First Request for the Production of Documents.

4. Copies of any and all Payroll Sheets maintained by the defendant Nyack Colonial Car Wash, Inc. and/or George Kelly; these sheets were referred to as "yellow sheets," by defendant George C. Kelly. This request was within the scope of request numbers 1, 2, 5, 6, 7, 10, and 19 of Plaintiffs' First Request for the Production of Documents.

5. Copies of all of the information contained in the checkbook used by Nyack Colonial Car Wash, Inc.; defendant George C. Kelly referred to as the "blue folder" containing personnel information and located in the office at the Nyack Soft Cloth Car Wash. This request was within the scope of request numbers 1, 2, 5, 6, 7, 10, and 19 of Plaintiffs' First Request for the Production of Documents.

6. Copies of all W-4 Forms maintained by defendant Nyack Colonial Car Wash, Inc. for the period 2000 to the present. This request was within the scope of request numbers 1, 5, 10, and 19 of Plaintiffs' First Request for the Production of Documents.

7. A copy of the data and/or a report and/or a printout containing the data from the computer program maintained by defendant Nyack Colonial Car Wash, Inc. and/or defendant George C. Kelly that contains the number of cars that pass through the car wash. Plaintiffs request a daily report of the number of cars that went through the Nyack Colonial Soft Car Wash for the

EXHIBIT  
A

Louis R. Satriale, Esq.

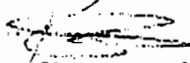
January 16, 2008  
Page 3

period January 1, 2000 through the present. In the event a daily report is not available, then Plaintiffs request a monthly report for the same period. This request was within the scope of our document request number 13 of Plaintiffs' First Request for the Production of Documents, and request number 1 from the Plaintiffs' Second Request for the Production of Documents.

8. Copies of information on all the employees listed in the Employer List provided by Defendants dated November 30, 2007, including but not limited to the W-2 Forms pertaining to each employee for the years worked and the date each employee started working, if this information has not already provided by number 6, as listed above. This request was within the scope of request numbers 1, 2, 5, 6, 7, 10, and 19 of Plaintiffs' First Request for the Production of Documents.

Please contact me if you have any questions. Thank your for your attention.

Very truly yours,



Karen Zdanis

cc: Karl Stoecker, Esq., via email